

Joseph V. Womack
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Attorney for Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In Re:

Case No. 14-61357-7

SCHNEIDER, JOHN HENRY

Debtor(s)

**NOTICE OF INTENT TO SELL PROPERTY
WITH OPPORTUNITY FOR UPSET BID**

**TO: DEBTOR, DEBTOR'S ATTORNEY, CREDITORS, AND ALL OTHER PARTIES
OF INTEREST**

PLEASE TAKE NOTICE Joseph V. Womack, the duly qualified and acting Trustee in the above-captioned matter, comes and states as follows:

Trustee proposes to sell and will sell to Debtor for the amount of \$1,100.00 the following described property of this Estate:

2007 GMC Savannah, VIN 1GDFH15T571158619 ("Vehicle")

Said property is subject to the following claims and interest: Debtor claims a \$2,500.00 vehicle exemption in the Vehicle.

Terms of the proposed sale will be payment of the full \$1,100.00 via cashier's check payable to "Joseph V. Womack, Trustee." Funds are due to Trustee no later than April 15, 2015.

The vehicle has been appraised by Trustee's auto broker, and the offer received from Debtor is the best return the Trustee can realize given the time and expenses required to hire someone to sell the vehicle on commission and pay the exemption to Debtors. As such, Trustee believes this cash sale is in the best interest of the estate and the creditors.

This property is to be sold "as is/where is" with Trustee only conveying that interest he may have acquired by reason of the bankruptcy filing of Debtor. The sale is without warranty of any kind or nature, including, but not limited to condition.

NOTICE IS HEREBY GIVEN that Trustee will sell the Estate's interest in said property pursuant to the attached Stipulation, without further notice and upon approval by the Court. If within fourteen (14) days of the mailing date below, Trustee receives a minimum bid of \$4,000.00 or more, (and upon the same or more favorable terms to the Estate), or an interested party files written objections to the sale, and sets forth the specific grounds for objection, with the Office of the Clerk of Court, U.S. Bankruptcy Court District of Montana, 400 North Main Street, Rm. 303, Butte, Montana 59701, AND mails a copy thereof to the Trustee, Joseph V. Womack, at U.S. Bank Suite 805, 303 N. Broadway, Billings, Montana 59101. Any upset bids must be for a single lump-sum cash payment. In the event an upset bid is received, the proceeds will be used to pay the \$2,500.00 exemption to Debtor; with all remaining funds will be retained by the bankruptcy estate for payment to creditors.

If no request for hearing is filed but if Trustee receives any upset bids as required above within fourteen (14) days of the mailing date of this notice, Trustee will file a Notice of Upset Bid with the Court and will notify all persons who have expressed an interest in purchasing the above

property of the date, time and place of a meeting at which Trustee will conduct an auction and sell the property to the highest bidder without further notice.

Upon completion of the sale, Trustee will notify the Court of the successful bid and bidder and will request that a final Order be issued approving the sale.

For further information, contact Joseph V. Womack, Trustee.

DATED this 31st day of March, 2015.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack
Ch. 7 Bankruptcy Trustee

NOTICE OF OPPORTUNITY TO RESPOND
AND REQUEST A HEARING

If you object to this notice, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of filing. The responding party shall schedule the hearing on the motion at least twenty-one (21) days after the date of the response and request for hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____
Time: _____
Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted

DATED this 31st day of March, 2015.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack
Ch. 7 Bankruptcy Trustee

CERTIFICATE OF SERVICE

I, the undersigned, certify under penalty of perjury that on this March 31, 2015, or as soon as possible thereafter, a copy of the was served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same. In addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users pursuant to the Court's Order limiting service by mail dated January 15, 2015 (Docket No. 24):

Debtor:

John Schneider
3611 Tommy Armour Circle
Billings, MT 59106

Interested Parties:

Creditor Mailing Matrix

By: /s/ Lynsey Lund
Lynsey Lund
Legal Asst. to Trustee